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11 *Attorneys for Appellees*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

16 In re:
17 ANTHONY SCOTT LEVANDOWSKI,
18 Reorganized Debtor.

Case Nos. 4:22-cv-02781-YGR;
4:22-cv-02783-YGR;
4:22-cv-02786-YGR; and
4:22-cv-02789-YGR
(Jointly Administered)

19 On Appeal from Bankruptcy Court Case
20 No. 3:20-bk-30242-HLB

21 The United States of America, on behalf of the
22 Internal Revenue Service, and California
23 Franchise Tax Board,

24 Appellants,

25 v.
26 The Levandowski Residual Liquidation Trust, as
successor to the Debtor in Possession, and
Anthony S. Levandowski,

27 Appellees.

28 **DECLARATION OF AMANDA
SWIFT IN SUPPORT OF
MOTION TO DISMISS APPEALS**

Date: November 29, 2022
Time: 2:00 p.m. (Pacific Time)
Before: The Honorable Yvonne
Gonzales Rogers
1301 Clay Street
Courtroom 1 (4th Floor)
Oakland, CA 94612

1 I, Amanda Swift, hereby declare pursuant 28 U.S.C. § 1746:

2 1. I am a principal of the firm of Province, LLC (the “Firm”), a firm with offices at
3 16255 Ventura Blvd, Suite 440, Encino, CA, 91436. The Firm provides support to Peter Kravitz,
4 a principal in the Firm and trustee (the “Trustee”) of the Levandowski Residual Liquidation
5 Trust (the “Trust”), successor to the debtor in possession. I make the statements contained
6 herein of my own personal knowledge and if called upon to do so, could testify competently to
7 them.

8 2. I submit this Declaration in support of the Motion to Dismiss Appeals (the
9 “Motion”¹).

10 3. As reflected in the docket, the Plan became effective on August 25, 2022, the
11 “Effective Date”. [Bankr. Docket No. 1181.]

12 4. Based on my understanding of the term, I believe the Plan was “substantially
13 consummated” on or shortly after the Effective Date, because:

14 a. The Trust was executed and became effective.

15 b. All or substantially all of the property proposed by the Plan to be
16 transferred to the Trust was transferred, including its cash.

17 c. The Trustee assumed management of the property dealt with by the Plan.

18 d. The Trustee fixed reserves for various administrative creditors, including
19 the Taxing Authorities with respect to taxes incurred prior to the Effective Date.

20 e. Distributions commenced under the Plan. As of the date of this
21 declaration, the Trust has transferred over 95% of the cash to be distributed to holders of
22 Class 3 General Unsecured Claims (as such class is described in the Plan) against the
23 Debtor.

24 5. The Trust continues to be administered for the benefit of the administrative
25 creditors, Google, LLC, Class 3 General Unsecured Creditors, and the debtor.

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28 ¹ Capitalized terms used but not defined herein shall have the meanings attributed to them
in the Motion.

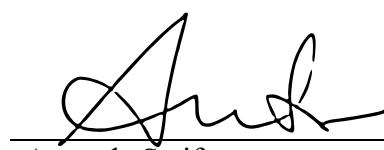
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3 I declare under penalty of perjury that, to the best of my knowledge and after reasonable
4 inquiry, the foregoing is true and correct. Executed this 24th day of October, 2022, in San
5 Francisco, California.

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Amanda Swift

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